

specification is directed at treating diseases. The Examiner then concluded that the specification did not enable for gene therapy or the treatment of diseases and therefore the cancelled claims were not enabled.

In the present case, new claims 35-46 are directed at compositions and methods for transducing cells. The Applicant respectfully asserts that the specification as filed fully enables one of ordinary skill in the art to transduce cells. There are many useful applications that are inherent in transduced cell and the Applicant is under no obligation to enumerate each and every possible inherent utility for his invention. He is required to enable and disclose a single utility. The mere ability to transduce a cell *ex vivo* is useful in itself and is not limited to gene therapy applications alone. Therefore, the Applicant respectfully asserts that the present claims are fully enabled for the scope of the subject matter presently claimed compositions and methods for transducing an isolated cell population *ex vivo*.

The Examiner has also stated that the present application was not enabling for isolating dendritic cells. However, it is axiomatic that a specification need not teach, and preferably omits what is already known in the art. At least eight years before the present application was filed peer-reviewed articles appeared teaching methods for isolating and characterizing dendritic cells from various mammal species. See for example, Landry, D. et al. *Human thymic dendritic cells. Characterization, isolation and functional assays*, Immunology. 1988 Sep;65(1):135-42; Hart DN. *Isolation and Characterization of human tonsil dendritic cells*. J Exp. Med. 1988 Jul 1;168(1): 157-70; Beaulieu S. et al. *An improved method for purifying human thymic dendritic cells*. J. Immunol Methods 1995 Mar27; 180(2):225-75. Based on these representative samples alone, the Applicant respectfully asserts that the isolation of dendritic cells was known to those having ordinary skill in the art substantially prior to the priority date of the present application. Therefore, the Applicant respectfully asserts that it is not necessary for them to teach what was already known to those skilled in the art.

The Examiner had also rejected cancelled claims 1, 6-7, 12-13, 30-34 based on 35 U.S.C §112 second paragraph. The Applicant respectfully asserts that these rejections have been traversed by the Applicant's cancellation of claims 1, 6-7, 12-13, 30-34 and their replacement with new claims 35-46.

Conclusion

The Applicant believes that the present application is in condition for immediate allowance and respectfully requests that the Examiner allow the claims as presently presented. If the Examiner believes that a telephone conference with the Applicant's attorney will materially advance the prosecution and allowance of the present claims, please feel free to contact the undersigned at the number listed below.

The Commissioner is authorized to charge any fee which may be required in connection with this Amendment to deposit account No. 50-1901.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Louis C. Cullman', is written over a horizontal line.

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